

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Lynda Shaffer
Debtor(s)

Bankruptcy Case No.: 19-21756-JAD
Issued Per Nov. 7, 2019 Proceeding
Chapter: 13
Docket No.: 26 – 2, 21
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated April 30, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☒ B. The length of the Plan is increased to a total of 54 months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The secured claim of Ford Motor Credit Co. (Claim No. 1–2) shall govern as to claim amount, to be paid at the modified plan terms.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: November 18, 2019

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Lynda Shaffer
 Debtor

Case No. 19-21756-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 39

Date Rcvd: Nov 18, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 20, 2019.

db
 15043130 +Lynda Shaffer, 115 Lewisham Rd, Cranberry Twp, PA 16066-8313
 15043131 +Bankamerica, 4909 Savarese Cir, Tampa, FL 33634-2413
 15043131 +Barclays Bank Delaware, P.O. Box 8803, Wilmington, DE 19899-8803
 15074167 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 15043133 +Chase Card, Po Box 15298, Wilmington, DE 19850-5298
 15043134 +Citicards Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
 15053794 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
 (address filed with court: Ford Motor Credit Company LLC, P. O. Box 62180, Colorado Springs, CO 80962)
 15043139 +Ford Motor Credit Comp, Pob 542000, Omaha, NE 68154-8000
 15043140 +Gs Bank Usa, Po Box 45400, Salt Lake City, UT 84145-0400
 15043144 +Northwest Consumer Dis, 118 S Main St, Zelienople, PA 16063-1148
 15043147 +Santander Consumer Usa, Po Box 961245, Fort Worth, TX 76161-0244
 15043157 +Target N.b., Po Box 673, Minneapolis, MN 55440-0673
 15043158 +Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. cr

+E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 19 2019 04:04:03
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15043132 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 19 2019 03:49:17
 Capital One Bank Usa N, Po Box 30281, Salt Lake City, UT 84130-0281
 15043135 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 19 2019 03:45:29 Comenity Bank/lnbryant,
 Po Box 182789, Columbus, OH 43218-2789
 15043136 +E-mail/Text: bankruptcy@diamondresorts.com Nov 19 2019 03:45:24 Diamond Resorts Fs,
 10600 W Charleston Blvd, Las Vegas, NV 89135-1260
 15043137 +E-mail/Text: mrdiscen@discover.com Nov 19 2019 03:45:16 Discover Fin Svcs Llc, Pob 15316,
 Wilmington, DE 19850-5316
 15043138 +E-mail/Text: bankruptcynotice@fcbanking.com Nov 19 2019 03:45:19 First Commonwealth Ban,
 601 Philadelphia St, Indiana, PA 15701-3952
 15043141 +E-mail/Text: bncnotices@becket-lee.com Nov 19 2019 03:45:21 Kohls/capone,
 N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
 15043142 +E-mail/Text: bk@lendingclub.com Nov 19 2019 03:46:05 Lending Club Corp, 71 Stevenson,
 San Francisco, CA 94105-2985
 15043143 +E-mail/PDF: MerrickBKNotifications@Resurgent.com Nov 19 2019 03:49:19 Merrick Bank Corp,
 Po Box 9201, Old Bethpage, NY 11804-9001
 15043145 +E-mail/Text: bankruptcy@diamondresorts.com Nov 19 2019 03:45:24 Ocean Beach Club Llc,
 932 Laskin Road, Virginia Beach, VA 23451-3990
 15083578 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 19 2019 03:49:22
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 15043146 +E-mail/Text: bankruptcyteam@quickenloans.com Nov 19 2019 03:46:01 Quicken Loans,
 1050 Woodward Ave, Detroit, MI 48226-1906
 15066028 +E-mail/Text: bankruptcyteam@quickenloans.com Nov 19 2019 03:46:01 Quicken Loans Inc.,
 635 Woodward Avenue, Detroit, MI 48226-3408
 15043148 +E-mail/PDF: gecsedirecoverycorp.com Nov 19 2019 03:48:07 Synch/amazon, Po Box 965015,
 Orlando, FL 32896-5015
 15043149 +E-mail/PDF: gecsedirecoverycorp.com Nov 19 2019 03:49:11 Synch/gap, Po Box 965005,
 Orlando, FL 32896-5005
 15043150 +E-mail/PDF: gecsedirecoverycorp.com Nov 19 2019 03:48:10 Synch/jcp, Po Box 965007,
 Orlando, FL 32896-5007
 15043151 +E-mail/PDF: gecsedirecoverycorp.com Nov 19 2019 03:48:08 Synch/lowes, Po Box 956005,
 Orlando, FL 32896-0001
 15043152 +E-mail/PDF: gecsedirecoverycorp.com Nov 19 2019 03:47:01 Synch/old Navy, Po Box 965005,
 Orlando, FL 32896-5005
 15043153 +E-mail/PDF: gecsedirecoverycorp.com Nov 19 2019 03:49:12 Synch/oldnavydc, Po Box 965005,
 Orlando, FL 32896-5005
 15043154 +E-mail/PDF: gecsedirecoverycorp.com Nov 19 2019 03:48:08 Synch/roomful Express,
 C/o Po Box 965036, Orlando, FL 32896-0001
 15043155 +E-mail/PDF: gecsedirecoverycorp.com Nov 19 2019 03:48:07 Synch/walmart, Po Box 965024,
 Orlando, FL 32896-5024
 15043156 +E-mail/PDF: gecsedirecoverycorp.com Nov 19 2019 03:49:13 Synch/walmart Dc, Po Box 965024,
 Orlando, FL 32896-5024
 15044860 +E-mail/PDF: gecsedirecoverycorp.com Nov 19 2019 03:48:07 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15084137 +E-mail/Text: bncmail@w-legal.com Nov 19 2019 03:45:53 TD Bank USA, N.A.,
 C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
 15080037 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Nov 19 2019 04:02:59 Verizon,
 by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
 15043159 +E-mail/Text: vci.bkcy@vwcredit.com Nov 19 2019 03:45:53 Vw Credit Inc, 1401 Franklin Blvd,
 Libertyville, IL 60048-4460

TOTAL: 26

District/off: 0315-2

User: jhel
Form ID: 149

Page 2 of 2
Total Noticed: 39

Date Rcvd: Nov 18, 2019

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Quicken Loans Inc.

TOTALS: 1, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 20, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 18, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Quicken Loans Inc. bkgroup@kmlawgroup.com
Lawrence W. Willis on behalf of Debtor Lynda Shaffer ecf@westernpabankruptcy.com,
urfreshstrt@gmail.com;willislr88866@notify.bestcase.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 4